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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,462	01/28/2004	Sili Gao	NVDA-P000723	3598
26291	7590	04/10/2006	EXAMINER	
PATTERSON & SHERIDAN L.L.P. 595 SHREWSBURY AVE, STE 100 FIRST FLOOR SHREWSBURY, NJ 07702			CHERVINSKY, BORIS LEO	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,462

Applicant(s)

GAO ET AL.

Examiner

Boris L. Chervinsky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-7, 9, 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horng et al. in view of Inoue et al., US Pat. 6,311,767 or alternatively in view of Michael, US Pat. 6,778,390.

Horng discloses a system for cooling a processor 12, the system comprising: a heat sink assembly 2 having a fan 22, fins 21 and a flat bottom surface define air channels, and the heat sink assembly is configured to be disposed onto the processor 12; and a heat sink lid 23 coupled to the heat sink assembly; the heat sink has a wall (not numbered), and the lid 23 is coupled to the wall (claim 17); the heat sink assembly is further configured such that air flows directly from the fan along the bottom surface of the heat sink assembly. Horng discloses the claimed invention except leaving a portion of the air channel uncovered by the lid. Inoue discloses the air channel partially uncovered by the lid (see Fig. 1) or in Michael reference (see Fig. 3). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to have partially uncovered air channel as disclosed by Inoue or alternatively by Michael in the device disclosed by Horng which may reduce air pressure at the end of the channel and dissipate heat in more than one direction. Horng does not disclose the

at least one fin is equal or greater than the length of the processor. The several prior art references cited in US PTO 892 Form (not applied at this time) show fins being equal or greater in length than the processor and also it would have been an obvious matter of design choice to have the length of fins equal or greater than the processor, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horng et al. in view of Inoue et al. and further in view of Kitajo.

Horng discloses the claimed invention except the thermal adhesive coupling the heat sink and the processor. Kitajo discloses the heat sink assembly that can be coupled to the processor by thermal adhesive (col. 1, lines 42-45). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use thermal adhesive as disclosed by Bartley for the device disclosed by Inoue for better heat transfer.

3. Claims 8, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horng et al. in view of Inoue et al.

Horng discloses the claimed invention except the graphics processing unit and the application-specific integrated circuit. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the cooling system as disclosed by Horng for the graphics processing unit and the application-specific integrated circuit since it has been held that a recitation with respect to the manner in

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which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

Ex parte Masham, 2 USPQ2d 1647 (1987).

Method steps of claims 19-21 are necessitated by the device structure as disclosed by Horng.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris L. Chervinsky whose telephone number is 571-272-2039. The examiner can normally be reached on 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2800 ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BORIS CHERVINSKY
PRIMARY EXAMINER

Boris I. Chervinsky
4/4/6